

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

RASSET LAHDIR,

Petitioner,

Civil No. 2:20-cv-12296

HONORABLE DENISE PAGE HOOD

v.

CHIEF UNITED STATES DISTRICT JUDGE

JOHN CHRISTIANSEN,

Respondent,

**OPINION AND ORDER GRANTING RESPONDENT'S  
MOTION TO ENLARGE RESPONSE TIME**

Before the Court is respondent's motion to enlarge response time, in which respondent requests an extension of time to file a responsive pleading to the petition for writ of habeas corpus. For the reasons stated below, the motion to enlarge response time is GRANTED.

A federal court has discretion in extending the time for a state to file a response to a habeas corpus petition. *See Whitfield v. Martin*, 157 F. Supp. 2d 758, 761 (E.D. Mich. 2001). Rule 4 of the Rules Governing Section 2254 cases gives a federal court discretion to take into account various factors such as the respondent's workload and availability of transcripts before determining the time when an answer must be made. *See Kramer v. Jenkins*, 108 F.R.D. 429, 432 (N.D. Ill. 1985). This Court finds that

ninety days is a reasonable time in which to request a response in this case, taking into account the complexity of the petition, the ability of the respondent to acquire the relevant documentary evidence, and the current caseload of the Attorney General's Office. *See Hudson v. Helman*, 948 F. Supp. 810, 811 (C.D. Ill. 1996).

**IT IS HEREBY ORDERED** that Respondent's Motion for Enlargement of Time (ECF No. 7) is **GRANTED**. Respondent shall have **ninety (90) days** from the date of this order to file an answer to the petition for writ of habeas corpus and the Rule 5 materials.

s/Denise Page Hood

Chief Judge, United States District

Dated: November 23, 2020